

Roberta R. Zenker  
Disability & Civil Rights Attorney

Live in Cardwell - raising children, employed, pay taxes, attend church, shop in the communities of Butte, Bozeman & Helena

During the week I get up around 5 - get ready for work, go to work  
I get home around 6 - eat dinner, watch TV, get ready for bed, go to bed

On the weekend, I clean house, do laundry, go shopping & try to enjoy some part of Montana outdoors.

You may be starting to wonder if I am not a lot like you & that would be right

In many ways I am just like you - accept in one respect  
- you see the last time I testified before the Montana Senate I was a county attorney from Virginia City Named Bob  
- I am transgender - the first & only transgender attorney in Montana history

This truth has made my life much more rich and full than I ever could have imagined  
- but it has not been without hardship  
- I could take the laughing & jeering - mostly - although I will admit to a few tearful moments

One of the things most troubling to me, however, was the employment discrimination I faced  
- I was discriminated against by one of the highest offices of state government, the university system, and one of Montana's largest corporations  
- during one 22 month stretch I applied for every state's attorney position that was advertised (and I will put my resume up against any state's lawyer for comparison)  
- I was told when I arrived for one interview that "this won't take long." It took 20 minutes.  
- One State bureau chief told me that the word was out on me, and I would not likely be hired by the State.

I felt humiliated, degraded, frustrated, judged & condemned simply for being true to who I am.  
- plus, I could not pay my bills - something which I had always done for the previous 40 years

LGBT discrimination is alive and well in Montana  
Some forward thinking communities have tried to change that - Bozeman & Missoula of note  
Yet some folks from the Bitterroot & a congresswoman from Havre think that they should not be allowed to so. - It begs the question why?

What legitimate government purpose is to be served by HB-516?  
Make no mistake, our constitution and that of the US require a legitimate government purpose when the State enacts a law that has the effect of discriminating against a class of people.  
- given the testimony of the proponents on this bill (both here & in the house), its purpose could not be clearer

- and it is upon this record that a reviewing court would determine the constitutionality of this legislation  
- and, as other courts have done( including the US Supreme Court on very similar legislation) I have no doubt that the MT S CT will strike this bill down, should it come to that

In 1889, "In the house, Samual Murray, took the position that passage of [MT's first anit-discrimination] bill was an issue larger than the ambitions of one Helena woman. To him the question was one of justice, of a step forward or backward."

HB-516 is a step backward. It is an "anti-jobs bill" for two of its impacts:

- 1) it denies equal employment opportunities to a whole class of people
- 2) it discourages the majority of Fortune 500 companies (& those companies on the rise) from locating any part of their operation in MT - a majority of F-500 companies have LGBT anti-discrimination policies that protect some of the best & brightest employees

- it is obvious that a company that protects its employees from employment discrimination will not locate where those same employees will be subject to housing & public accommodations discrimination

Finally, any of us as old as I am grew up pledging our allegiance to the concept of "liberty and justice for all"

-liberty and justice to everyone - not just a select few, not just to those with whom we agree about religion, politics and the nature of socio-cultural change and progression

Ladies and gentlemen, we are changing the world and everyone does matter

We must take this opportunity to move forward, to serve the ends of liberty & justice for all and oppose HB-516